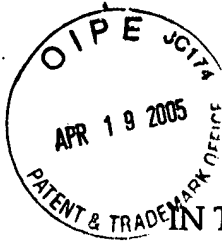




K-05000397

20050413

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ching-Hsiang Hsu

Serial No.: 10/780,601

Filed: February 19, 2004

For: NOVEL MICROORGANISM STRAIN GM-020 OF  
*LACTOBACILLUS RHAMNOSUS* AND ITS USE  
FOR TREATING OBESITY

Group Art Unit: 1645

Examiner: Vanessa Ford

Docket No. 001409.00011

DECLARATION REGARDING MICROORGANISM DEPOSITS

Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Sir:

GenMont Biotech, Inc., Tainan County, Taiwan, R.O.C. is the owner of the invention described in patent application U.S. Serial No. 10/780,601, filed February 19, 2004, and entitled "Novel Microorganism Strain GM-020 of *Lactobacillus Rhamnosus* and Its Use for Treating Obesity" by virtue of an assignment from the inventors recorded at the U.S. Patent and Trademark Office at reel 014987, frame 0685;

I declare on behalf of GenMont Biotech, Inc., that:

1. The strain known as *Lactobacillus Rhamnosus* GM-020 has been deposited at the China Center for Type Culture Collection, Wuhan University, Wuhan 230072 P.R. China, on December 18, 2003;

2. The strain was given the accession number CCTCC M 203098 by the CCTCC;

3. The aforementioned strain was deposited and accepted by the CCTCC under the terms of the Budapest Treaty;

4. All restrictions upon public access to the deposit will be irrevocably removed upon the granting of a patent on the application named above;

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 2005. 1. 12

By: Hsu Ching-Hsiang

Office of person signing within GenMont Biotech, Inc.: Hsu Ching-Hsiang  
Typed name of person signing: Hsu Ching-Hsiang